

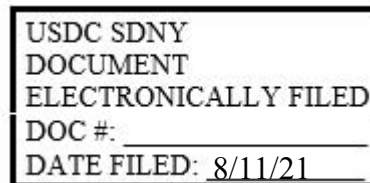


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August 10, 2021

VIA ECF

Hon. Barbara C. Moses
United States Magistrate Judge
United States District Court
Southern District of New York
225 Cadman Plaza East
Brooklyn, New York 11201

MEMO ENDORSED

Re: *Buari v. City of New York, et al.*, 18-CV-12299 (MKV)(BCM)

Your Honor:

I am a Senior Counsel in the office of Georgia M. Pestana, Corporation Counsel of the City New York (the “City”), representing defendants City, Andrew Dietz, Christine Fortune, Eugene Godwin and Joseph Neenan in the above-captioned matter. I write to respectfully submit this joint application on behalf of all parties to adjourn the settlement conference scheduled for August 17, 2021.

On August 9, 2021, defendants, with the consent of plaintiff, submitted a letter requesting, among other things, adjournment of the time for the parties to submit their pre-conference settlement letters to August 11, 2021, and requesting that defendants have until August 16, 2021, to make a settlement offer. (ECF No. 90) The Court has not ruled on that application. Since filing that letter, the parties have conferred further and have determined that a brief adjournment of the settlement conference is necessary to make the best use of the Court’s and parties time, and to more fruitfully discuss settlement. In conjunction with their settlement discussions, defendants have requested additional information from plaintiff that counsel are in the process of assembling, but they require additional time to do so. One of plaintiff’s two counsel, Oscar Michelen, is currently on trial, and Marc Cannan is working is away from the office this week. In addition, the City has not yet finalized its settlement authority, and additional time would be useful for that process as well.

The parties also respectfully request that the time for submission of their pre-settlement letters be extended until one week before the new conference date. That adjournment will allow time for some of the additional information being assembled to be incorporated into their submissions.

Accordingly, the parties agree that a brief adjournment of the settlement conference would be in the best interests of the case. The parties respectfully request that the Court adjourn the conference until at least August 30, due to planned vacation of defendants' counsel during the week of August 23. The parties respectfully suggest any date from August 30 through September 3, or September 8 through September 10, 2021, at the Court's convenience, or as soon as possible thereafter.

The parties regret the inconvenience to the Court from the adjournment of the conference.

We thank the Court for its consideration of this request.

Respectfully submitted,

Alan H. Scheiner /s/

Alan H. Scheiner
Senior Counsel

cc (via ECF): All Counsel

Application GRANTED. The settlement conference now scheduled for August 17, 2021 is ADJOURNED to **August 31, 2021, at 2:15 pm**. The parties' confidential pre-conference settlement letters are due no later than **August 24, 2021**. In light of what defendants correctly described as "the significance of the case," the Court requires the City's decision-maker to attend the conference rather than simply "be available by telephone." SO ORDERED.



Barbara Moses
United States Magistrate Judge
August 11, 2021